



**PATENT**

Serial No. 10/037,630

Filing Date: January 3, 2002

Examiner: Paul D. Marcantoni; Group Art Unit 1755

Attorney Docket No. 72425.0105

**UNITED STATES PATENT AND TRADEMARK OFFICE**

In re United States Patent Application  
of Applicant: J. Blake Scott

Serial No.: 10/037,630

Examiner: Paul D. Marcantoni

Filing Date: January 3, 2002

Group Art Unit: 1755

Priority Date: August 10, 2001

For: **INCORPORATION OF DRILLING CUTTINGS  
INTO STABLE LOAD-BEARING STRUCTURES**

**INFORMATION DISCLOSURE STATEMENT  
SUBMITTED UNDER 37 C.F.R. §§ 1.56, 1.97 and 1.98**

**MAIL STOP — AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Dear Sir:

This is a self-executing Information Disclosure Statement submitted under 37 C.F.R. §§ 1.56, 1.97 and 1.98 regarding the above-referenced United States Patent Application.

**I Introduction**

Enclosed herewith please find a copy of United States Patent No. 6,706,108 B2 to Polston (the "Polston patent") known to Applicant or Applicant's attorney and having arguable relevance or materiality respecting the patentability of the invention disclosed and claimed in the instant Patent Application.

## **II      Remarks**

The Polston patent is accompanied by a completed Form PTO-1449 identifying the patent and presenting the requested information.

The subject matter of the Polston patent relates to the treatment of partially de-liquified oil and gas waste by combining the waste with an aggregate, a binder and a stabilizer to provide a suitable roadbed base material. As set forth in the patent, "[t]he resulting product is a stabilized road base that not only is of a superior grade, but will not leach hydrocarbons, chlorides or RCRA metals in excess of constituent standards set forth in the Clean Water Act" (Column 3, lines 15–18).

Accordingly, the Polston patent is concerned with avoiding the leaching of impurities from the road base. There is no exemplification, disclosure or suggestion in the Polston patent that the product used for the stabilized road base forms Applicant's claimed "load-bearing structure having sufficient resistance to rutting that any rut formed in such surface by 10,000 applications of a single-axle load of 18,000 pounds will have a depth of rutting that is less than 1 inch."

The patent submitted herewith is in the English language. Accordingly, Applicant, through his undersigned attorney, respectfully submits that no "concise explanation" regarding the relevance of the document is required pursuant to 37 C.F.R. § 1.98(a)(3).

Applicant is filing a Request for Continued Examination with this Information Disclosure Statement. Accordingly, no fee is required in connection with the submission of this Information Disclosure Statement under 37 C.F.R. § 1.97(b). In

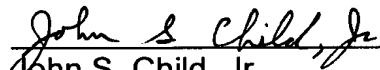
the event that Applicant is in error, Applicant submits an Authorization to Charge  
Deposit Account 04-1406.

**III     Conclusion**

Applicant respectfully requests careful consideration of this additional prior art  
reference in connection with a prompt and thorough examination of Application  
Serial No. 10/037,630 on its merits.

Respectfully submitted,

DANN DORFMAN HERRELL AND SKILLMAN  
A Professional Corporation

  
\_\_\_\_\_  
John S. Child, Jr.

PTO Registration No. 28,833  
1601 Market Street, Suite 2400  
Philadelphia, PA 19103-2307  
TELEPHONE: 215-563-4100  
FACSIMILE: 215-563-4044

Attorneys for Scott Environmental Services, Inc.

Date: December 10, 2004

Correspondence Address  
Customer No. 000110  
John S. Child, Jr., Esquire  
Dann Dorfman Herrell and Skillman  
1601 Market Street, Suite 2400  
Philadelphia, PA 19103-2307

<b>INFORMATION DISCLOSURE STATEMENT</b>	<i>Complete if known</i>	
	Application Number:	10/037,630
	Filing Date:	January 3, 2002
	First Named Inventor:	J. Blake Scott
	Group Art Unit:	1755
	Examiner Name:	Paul D. Marcantoni
SHEET 1 OF 1		Attorney Docket Number: 72425.0105

UNITED STATES PATENT DOCUMENTS				
EXAMINER'S INITIALS	CITE NO.	PATENT NUMBER	ISSUE DATE MM-DD-YYYY	FIRST NAMED INVENTOR
	A14	6,706,108 B2	03-16-2004	David L. Polston

FOREIGN PATENT DOCUMENTS					
EXAMINER'S INITIALS	CITE NO.	DOCUMENT NUMBER	COUNTRY OR REGION	DATE OF PUBLICATION MM-DD-YYYY	FIRST NAMED INVENTOR OR APPLICANT
	B				

OTHER PRIOR ART - NON-PATENT DOCUMENTS		
EXAMINER'S INITIALS	CITE NO.	Include name of the author (in Capital Letters), title of the article (when appropriate), title of the item(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
	C	

EXAMINER'S SIGNATURE		DATE CONSIDERED	
----------------------	--	-----------------	--

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.